

EXHIBIT 8

**[EXCERPT FROM NOVEMBER 11, 2010 DEPOSITION TESTIMONY
OF NONPARTY WITNESS, CHARLES ALEXANDER]**

1 UNITED STATES DISTRICT COURT

2 DISTRICT OF NEVADA

3 DONNA CORBELLO,

4 Plaintiff,

5 vs.

6 THOMAS GAETANO DEVITO,
7 et al.,

8 Defendants.

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) Case No.

) 2:08-cv-00867-

) RCJ-PAL
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14 DEPOSITION OF CHARLES P. ALEXANDER

15 Taken on Thursday, November 11, 2010

16 By Videotape

17 At 9:54 a.m.

18 At Orrick, Herrington & Sutcliffe LLP

19 51 West 52nd Street, New York, New York

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22
23 Reported by: Cathi Irish, CCR 844, RPR, CLVS

24 Job No. 2283

1 APPEARANCES:

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11 For the Defendants Frankie Valli, Robert J. Gaudio,
12 Marshall Brickman, Eric S. Elice, Des McAnuff, DSHT,
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22 Also Present:

23 ED FORD, Certified Legal Video Specialist

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1 picture of the research they did.

2 Q. What was that -- what was your opinion or
3 your statement based upon, what knowledge?

4 A. Well, I had a conversation with Marshall
5 Brickman in 2004 and we can talk about that now
6 or -- okay.

7 Q. Please.

8 A. That conversation is probably the most
9 relevant, that and the Gaudio interview that you
10 have, probably the most relevant conversations I
11 have had.

12 Right after I saw the play in 2004, as I
13 said previously I wanted to write a review of the
14 play on the Genuine Imitation Life Gazette website.
15 And I told Bob Gaudio either by phone or e-mail that
16 I wanted to do that but I couldn't remember a lot of
17 exact lines of the play. I had seen it but I hadn't
18 recorded it or anything and I wanted to quote some
19 fairly lengthy passages in the play but I couldn't
20 remember them. So Bob said well, I'll put you in
21 touch with one of the writers, Marshall Brickman.

22 Q. When you say Bob, you mean Bob Gaudio?

23 A. Bob Gaudio, yes. So Bob put me in touch
24 with Marshall. I can't remember whether Marshall
25 called me at Gaudio's behest. I think that was the

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1 case. I don't remember him giving me Marshall's
2 number.

3 Anyway, Marshall called me up and it was
4 very helpful. And now keep in mind that this
5 conversation was in 2004 so I'm not going to pretend
6 that I'm giving you an accurate verbatim account.

7 What really I'm going to give you is sort
8 of the -- how I've reconstructed the conversation in
9 my mind after Greg filed this original complaint
10 because at that time I knew that this was the most
11 relevant conversation that I had had other than the
12 Gaudio interview to the issue in this case and so I
13 thought back to my conversation with Marshall in
14 2004, so what you're going to hear now is sort of
15 what I can remember of it.

16 I guess was it 2007 that you first filed
17 this complaint or it was late in the year or
18 something, early, late 2007.

19 So, you know, what I remember from this
20 conversation being sort of fixed in my mind since
21 then but here's what I remember of that
22 conversation.

23 Well, first of all, my main purpose was
24 to get some specific lines which he quoted to me.
25 But I asked him just because as one writer to

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1 another, well, first of all, I was so surprised by
2 the play because here I was a long time fan of the
3 Four Seasons, I went to the play and I felt like I
4 knew nothing about these guys, I didn't know any of
5 this stuff, so naturally my first kind of question
6 to Marshall Brickman, writer to writer, was how did
7 you find out all this stuff? And he said well, we
8 read everything we could get their hands on. He
9 said we read your article in Time magazine. And I
10 said a lot of this stuff has never really been
11 published and he said yeah, and he mentioned to me
12 the book. It was the first time I had heard of it.
13 The book that -- Tommy's autobiography as
14 ghostwritten by Rex Woodard.

15 Now since then I've read somewhere, I
16 can't even tell you where, that Rick Elice read the
17 book, not Marshall. I don't know what the truth is.
18 That may be true. Marshall was just sort of talking
19 about him and Rick as a team, you know, we read the
20 book.

21 I said wow, can I get a copy of this
22 book; he said no, we sent it back. So as also
23 stated in an e-mail from Rick Elice, they had
24 returned this book to Tommy, maybe a year or year
25 and a half before the play actually -- the play

C E R T I F I C A T E

STATE OF NEW YORK)

: ss.

COUNTY OF NASSAU)

I, CATHI IRISH, a Registered Professional Reporter and Notary Public within and for the State of New York, and a duly certified court reporter licensed in and for the State of Nevada do hereby certify:

That CHARLES P. ALEXANDER, the witness whose deposition is hereinbefore set forth, was duly sworn by me and that such deposition is a true record of the testimony given by the witness.

I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set my hand this 13th day of November, 2010.

CATHI IRISH, CCR #844, RPR, CLVS